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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,960	10/30/2003	Wayne M. Hansen	14261	8478

7590 06/06/2005

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EXAMINER

MITCHELL, KATHERINE W

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/696960

Hansen

EXAMINER

K. Mitchell

ART UNIT

PAPER

3677 20050524

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

see attached

*Int. Summary
Notice of Non-Compliant Resp. to Amendment*

Katherine W Mitchell
Examiner
Art Unit: 3677

Response to Amendment

1. The amendment to the claims filed on 3/3/2005 does not fully respond to the examiner's concerns. Since apparently the description of the confusion under the drawing objection was not clear, examiner is requesting a further clarification prior to examination rather than prepare a formal office action which could be made final.

In the previous office action, examiner objected to the limitation that the head and flanges of the fastener were arranged to define an aperture therebetween, as the aperture was not shown. Examiner noted:

Examiner notes that claim 1 lines 11-12 and claim 2 lines 8-9 recite "the head and the flanges of the fastener being constructed and arranged to define an aperture therebetween"... thus requiring an aperture between the head and the flanges. The only flanges described to that point are flanges 22 and 24. The only aperture shown is "48" (fig 1). However, page 7 of the specification states that the head may have a structure such as flange 40, and page 8 discloses that that head may further include a pair of subflanges 44, 46 mounted above the flange 40. Thus the head necessarily includes the structure at 40 and above (to subflange 46) in Figs 1 and 4, and no aperture is shown between head and flanges 22 and 24.

Examiner had guessed that applicant left the aperture out of the drawing, but is now not sure. Applicant has amended to delete "to define an aperture therebetween", but the underlying confusion remains. Examiner is not sure if applicant is trying to disclose the gap shown at "50" in the figures, or the gap shown at "37" where substrate "9" is received. With the claims now not requiring an aperture, examiner is not sure what is being described. Examiner believed that the panel and the substrate were the

same, as no panel was ever shown and the panel appeared in the specification to be the substrate. However, it is possible that applicant intends "the substrate" to be different from the panel, and that the substrate merely lacks antecedent basis.

If the panel and substrate are different, applicant should amend the claims to provide proper antecedent basis. Applicant should review the claims to ensure that the description of the flange and the head of the fastener is correctly worded, (Flanges 22 and 24 versus flanges/subflanges 40,44,46 – see below) and that the terms "substrate" and "panel" are correctly used.

[0023] As indicated above, the head 14 of the fastener 10 may take any useful configuration. In one embodiment, the head 14, may have a structure, such as flange 40 that is wide enough with respect to the dimensions of the bore 8 formed through the substrate 9 so as to prevent the fastener 10 from passing entirely therethrough. As can best be seen in FIG. 4, the flange 40 abuts a first side of the substrate 9 whereas the shoulder 37 of flanges 22, 24 abuts the second side of the substrate 9 so as to oppose one another and retain the fastener 10 in the bore 8 formed through the substrate 9. The flange 40 in a preferred embodiment of the present invention is biased downwardly toward the shank 12 of the fastener 10 so as to create a resilient seal against the substrate 9 when the fastener 10 is received within the bore 8 and to prevent unwanted movement in the fastener 10 once it has been installed.

Alternatively, the flange 40 may be flat or even biased away from the shank 12. In any case, the distance between the flange 40 and the ridge 36 defined by the flanges 22, 24 is generally related to the thickness of the substrate 9 and is arranged so as to permit the flange 40 and the ridge 36 to engage the opposing sides of the substrate 9 so as to secure the fastener 10 within the bore 8.

[0024] While the flange 40 is preferably larger than the bore 8 formed through a substrate 9, the flange 40 may be reduced in size or omitted altogether where the head 14 is otherwise constructed and arranged such that it cannot pass through the bore 8. One example of such a head 14 (not shown) involves providing a structure for mechanically or adhesively securing the head 14 to another structure so as to prevent the fastener 10 from passing through the bore 8.

[0025] A preferred embodiment of the head 14 illustrated in FIG. 1 includes a post 42 that extends upwardly away from the flange 40 and which has mounted

thereon a pair of subflanges 44, 46. The subflanges 44, 46 are spaced apart upon post 42 so as to create an aperture 48 therebetween. The aperture 48 is sized so that the post 42 may be received within a slot formed in a structure such as a "doghouse", a standard attachment structure for molded items (not shown). Post 42 is retained in the slot in the object preferably by a snap-in type force fit engagement. In order to ensure that the post 42 is not deformed when it is received into a slot formed in an object, reinforcement vanes 50 may be formed between the subflange 44 and the flange 40 so as to increase the rigidity of the post 42.

2. Since the reply filed on 2/2/2005 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

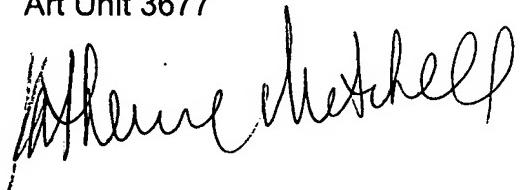
3. Examiner is withholding examination on the merits until this is clarified.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Katherine W Mitchell
Examiner
Art Unit 3677

Kwm
5/25/2005

A handwritten signature in black ink, appearing to read "Katherine W. Mitchell".